

EXHIBIT 40



Certificate of Occupancy

CO Number: 420602217T003

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A.	Borough: Queens Address: 1-55 BORDEN AVENUE Building Identification Number (BIN): 4541408	Block Number: 00006 Lot Number(s): 6 Building Type: New	Certificate Type: Temporary Effective Date: 07/22/2015 Expiration Date: 10/20/2015
This building is subject to this Building Code: 2008 Code			
<i>For zoning lot metes & bounds, please see BISWeb.</i>			
B.	Construction classification: 1-B (2008 Code) Building Occupancy Group classification: R-2 (2008 Code) Multiple Dwelling Law Classification: HAEA		
	No. of stories: 32	Height in feet: 307	No. of dwelling units: 306
C.	Fire Protection Equipment: Standpipe system, Fire alarm system, Sprinkler system, Fire Suppression system		
D.	Type and number of open spaces: None associated with this filing.		
E.	This Certificate is issued with the following legal limitations: None		
Outstanding requirements for obtaining Final Certificate of Occupancy:			
There are 23 outstanding requirements. Please refer to BISWeb for further detail.			
Borough Comments: None			

Borough Commissioner

Commissioner

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Permissible Use and Occupancy						
All Building Code occupancy group designations below are 2008 designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
001 001 22	OG	R-2		2		RESIDENTIAL LOBBY (PARTIALLY SUBJECT TO FLOODING), MAIL ROOM, LOCKER ROOMS, BREAK ROOM, SUPER'S OFFICE ACCESSORY TO RESIDENTIAL
001 001 19	OG	S-2 R-2 U		2, 2		GAS METER RM, PACKAGE RM, TRASH COMPACTOR RM, FIRE PUMP RM, WATER METER, RM, SUPER'S OFFICE WORKSHOP, STORAGE RM, BIKE RM., COGEN TANK RM, WASTE COLLECTOR RM
001 001	OG	M		6		RETAIL SPACE (VACANT/NO OCCUPANCY)
002 002 51	100	R-2		2		RESIDENTIAL AMENITY SPACE (GYM, KIDS PLAY RM, BUSINESS CENTER) ACCESSORY TO RESIDENTIAL
002 002	100	R-2	8	2		(08) APARTMENTS PER FLOOR, TRASH RM, ELECTRIC/TELECOM CLOSETS
002 002 8	100	R-2 U		2, 2		TELECOM ROOM, (MDF) LAUNDRY RM, MECHANICAL RM, MECHANICAL RM2, MECHANICAL SPACE, ELECTRICAL RM.
003 003	100	R-2	14	2		(14) APARTMENTS PER FLOOR, TRASH RM, ELECTRIC/SECURITY/TELECOM CLOSETS, MANAGEMENT OFFICE ACCESSORY TO RESIDENTIAL
003 003	100	R-2		2		ROOF- MAINTENANCE ACCESS ONLY. NO PART OF ACCESSORY TO RESIDENTIAL.
004 007	100	R-2	14	2		(14) APARTMENTS PER FLOOR, TRASH RM, ELECTRIC/TELECOM CLOSET
008 009	100	R-2	13	2		(13) APARTMENTS PER FLOOR, TRASH RM, ELECTRIC/TELECOM CLOSET
010 013	100	R-2	10	2		(10) APARTMENTS PER FLOOR, TRASH RM, ELECTRIC/TELECOM CLOSET
014 019	100	R-2	9	2		(09) APARTMENTS PER FLOOR, TRASH RM, ELECTRIC/TELECOM CLOSET

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020 028		100	R-2	9	2	(09) APARTMENTS PER FLOOR, TRASH RM, ELECTRIC/TELECOM CLOSET
029 029		100	R-2	6	2	(6) APARTMENTS PER FLOOR, TRASH RM, ELECTRIC/TELECOM CLOSET
029 029 4		100	R-2		2	TERRACE ACCESSORY TO RESIDENTIAL
029 029 16		100	R-2		2	ACCESSORY RESIDENTIAL AMENITY SPACE.
030 032		100	R-2	7	2	(7) APARTMENTS PER FLOOR, TRASH RM, ELECTRIC/TELECOM CLOSET
RO F			R-2		2	MECHANICAL SPACE, ELEVATOR MACHINE ROOM, BULKHEAD
ZONING LOT DESCRIPTION RECORDED UNDER CRFN #2013000110502 AND 2013000110503 . EASEMENT RECORDED UNDER CRFN #2013000110501. SHADED AREAS WITHIN BUILD (LOBBY ENTRANCE) IS DESIGNED TO RETAIN WATER AND WITHSTAND HYDROSTATIC AND HYDRODYNAMIC PRESSURE ASSUMING WATER HEIGHT TO BASE FLOOD ELEVATION MATERIALS INCLUDING FINISHES IN SHADED AREA SHALL BE FLOOD-RESISTANT MATERIALS AND COMPLY WITH APPENDIX G						
END OF SECTION						

Borough Commissioner

Commissioner

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